

3/13/15

11:55 AM

Chapter No. 329
15/HR26/R595
CST/AC

HOUSE BILL NO. 1402

Originated in House



Clerk

HOUSE BILL NO. 1402

AN ACT TO AMEND SECTION 67-1-52, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE SECTION THAT AUTHORIZES THE HOLDER OF A PACKAGE RETAILER'S PERMIT ISSUED UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, WITH PRIOR WRITTEN APPROVAL FROM THE DEPARTMENT OF REVENUE, TO CONDUCT TASTING OR SAMPLING EVENTS AT THE PACKAGE RETAILER'S PERMITTED PLACE OF BUSINESS DURING WHICH TASTES OR SAMPLES OF ALCOHOLIC BEVERAGES MAY BE OFFERED OR SERVED TO CONSUMERS AT NO COST SUBJECT TO CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 67-1-52, Mississippi Code of 1972, is amended as follows:

67-1-52. A package retailer's permit issued under Section 67-1-51(b) shall, with prior written approval from the department, authorize tasting or sampling events to be conducted at the package retailer's permitted place of business during which tastes or samples of alcoholic beverages may be offered or served to consumers at no cost. During a tasting or sampling event authorized by this section, limited amounts of alcoholic beverages may be consumed on the permitted place of business. A tasting or sampling event shall not authorize the sale of alcoholic beverages

for consumption on the permitted place of business, but shall only authorize the limited consumption of alcoholic beverages at the permitted place of business for the sole purpose of tasting or sampling various alcoholic beverages. A tasting or sampling event shall be conducted completely within an area that is cordoned off by barriers clearly separating the event from the point of sale of any alcoholic beverage and may last not longer than four (4) hours. No one under twenty-one (21) years of age may participate in a tasting or sampling event and a sign indicating this shall be placed in a clearly visible location at the entrance to the area where the tasting or sampling event will be conducted. No food may be served or sold at a tasting or sampling event. Each sample of wine served at the event shall not exceed one and one-fourth (1-1/4) ounces and no more than a cumulative total of five (5) ounces of wine may be dispensed to any one (1) person during a tasting or sampling event. Each sample of a distilled spirit served at the event shall not exceed one-fourth (1/4) of an ounce and no more than a cumulative total of one (1) ounce of distilled spirits may be dispensed to any one (1) person during a tasting or sampling event. All product tasted or sampled at the event must be provided by the package retailer from its inventory. Such product cannot be sample product provided by a manufacturer and must have been purchased from the department warehouse or from a licensed wholesaler. Only employees of the package retailer may serve any product for tasting or sampling at the event. Tickets

for a tasting or sampling event shall not be sold in the permitted place of business or any other location. The holder of a tasting or sampling event shall keep an accurate accounting of the various alcoholic beverages and amounts consumed at each tasting or sampling event and must provide a copy of the accounting to the department within ten (10) days of completion of the event. The holder of a package retailer's permit may conduct not more than one (1) event in a three-month period.


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SECTION 2. This act shall take effect and be in force from and after July 1, 2015.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 5, 2015


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 5, 2015


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

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